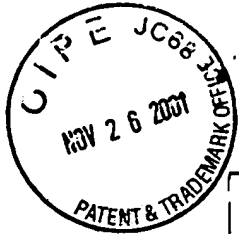


09/719957

Rec'd PCW 26 NOV 2001

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

Attorney Docket No: GSH 03-883817

First Named Inventor: AHMADI ET AL.

Complete if known: Serial No: 09/719,957 Filing Date: December 18, 2000

Group Art Unit: \_\_\_\_\_ Examiner: \_\_\_\_\_

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **BAITWARE**, the specification of which is attached hereto.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, S. 1.56(a).

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate or of any PCT international application having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s):Priority ClaimedCertified CopyAttached☐ Yes ☐ No ☐ Yes ☐ No

(Number) (Country) (Month/Day/Year Filed)

☐ Yes ☐ No ☐ Yes ☐ No

(Number) (Country) (Month/Day/Year Filed)

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below:

Application No:

Filing Date:

60/089,772June 18, 1998

09/719957-113601

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

PCT/CA99/00560

June 18, 1999

US Patent Application No.  
or PCT Parent Appln. No.

Parent Filing Date

Parent Patent Number  
(if applicable)

And I hereby appoint HAYES, SOLOWAY, HENNESSEY, GROSSMAN & HAGE, P.C., a firm composed of Oliver W. Hayes, Reg. No. 15,867; Norman P. Soloway, Reg. No. 24,315; William O. Hennessey, Reg. No. 32,032; Susan H. Hage, Reg. No. 29,646; Steven J. Grossman, Reg. No. 35,001; and Donald J. Perreault, Reg. No. 40,126; or any of them, of 175 Canal Street, Manchester, New Hampshire 03101 (Telephone: 603-668-1400); or Edmund Paul Pilger, Reg. No. 41,252; Dale F. Regelman, Reg. No. 45,625; or Kevin M. Drucker, Reg. No. 47,537, or any of them, of 130 W. Cushing Street, Tucson, Arizona 85701 (Telephone: 520-882-7623) my attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent Office connected therewith.

Please direct all future correspondence in connection with this application to the attention of Norman P. Soloway, HAYES, SOLOWAY, HENNESSEY, GROSSMAN & HAGE, P.C., 175 Canal Street, Manchester, New Hampshire 03101 (Telephone: 603-668-1400).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor: Babak Ahmadi

First Inventor's signature: Babak Ahmadi

Date: June 1, 2001

Residence: 2322 Lawson Avenue, West Vancouver, British Columbia V7V 2S6, Canada

Citizenship: Canada

Post Office Address: Same as Residence

CA

09719957-112601

Full name of second joint inventor: Carl Wimmer

Second inventor's signature: [Signature]

Date: June 1/2001

Residence: 9 West Broadway, Vancouver, British Columbia V5Y 1P1, Canada

Citizenship: Canada

Post Office Address: Same as Residence

09719957.412601

**IMPORTANT NOTICE RE DUTY OF CANDOR AND GOOD FAITH**

The Duty of Disclosure requirements of Section 1.56(a), of Title 37 of the Code of Federal Regulations are as follows:

A duty of candor and good faith toward the Patent and Trademark Office rests on the inventor, on each attorney or agent who prepares or prosecutes the application and on every other individual who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application. All such individuals have a duty to disclose to the Office information they are aware of which is material to the examination of the application. Such information is material where there is a substantial likelihood that a reasonable examiner would consider it important in deciding whether to allow the application to issue as a patent. The duty is commensurate with the degree of involvement in the preparation or prosecution of the application.

By virtue of this regulation each inventor executing the Declaration for the filing of a Patent Application acknowledges his duty to disclose information of which he is aware and which may be material to the examination of the application.

Inherent in this is the duty to disclose any knowledge or belief that the invention:

- (a) was ever known or used in the United States of America before his invention thereof;
- (b) was patented or described in any printed publication in any country before his invention thereof or more than one year prior to the actual filing date of the U.S. patent application;
- (c) was in public use or on sale in the United States of America more than one year prior to the actual filing date of the U.S. patent application; or
- (d) has been patented or made the subject of inventor's certificate issued before the actual filing date of the U.S. patent application in any country foreign to the United States of America on an application filed by him or his legal representatives or assigns more than twelve months before the actual filing date in the United States.

NOTE: The "Information" concerned includes, but is not limited to, all published applications and patents, including applicant's and assignee's own, U.S. or foreign applications and patents, as well as any other pertinent prior art known, or which becomes known, to the inventor or his representatives. Where English language equivalents of foreign language documents are known, they should be identified and, when possible, copies supplied. Failure to comply with this requirement may result in a patent issued on the application being held invalid even if the known prior art which is not supplied is material to only one claim of that patent.

Petition For Revival Of An Application For Patent Abandoned Unintentionally  
Under 37 CFR 1.137(b) (Large Entity)

Docket No.

26 NOV 2001

In Re Application Of: AHMADI ET AL.

Serial No.  
09/719,957

Filing Date  
DECEMBER 18, 2000

Examiner

Group Art Unit

Invention:

BAIT SOFTWARE

Calculation and Payment of Fees

Enclosed are the following fees:

6. ☒ Petition fee under 37 CFR 1.17(m) in the amount of: \$1,280.00
7. ☐ Fee for amendment in the amount of: \_\_\_\_\_
8. ☐ Fee for extension of time to respond to Office Action in the amount of: \_\_\_\_\_
9. ☐ Issue fee in the amount of: \_\_\_\_\_
10. ☐ Continuing application filing fee in the amount of: \_\_\_\_\_
11. ☐ Terminal disclaimer fee in the amount of: \_\_\_\_\_
12. ☒ Surcharge \$130.00

12/01/2001 LLANDGRA 00000069 09719957

Total fees enclosed: \$1,410.00

01 F:141 1280.00 OP  
02 F:154 130.00 OP

The fee of **\$1,410** is to be paid as follows:

- ☐ A check in the amount of the fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. 08-1391  
A duplicate copy of this sheet is enclosed.

Petition For Revival Of An Application For Patent Abandoned Unintentionally  
Under 37 CFR 1.137(b) (Large Entity)

Docket No.  
GSH 08-883817

In Re Application Of: AHMADI ET AL.

NOV 26 2001

Serial No.  
09/719,957

Filing Date  
DECEMBER 18, 2000

Examiner

Group Art Unit

Invention:

BAIT SOFTWARE

ASSISTANT COMMISSIONER FOR PATENTS

Attention: Office of Petitions

Box DAC

Washington, D.C. 20231

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper response to a notice or action by the Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extension of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee--required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. ☒ A proposed reply to the above-identified notice or action:

☒ is enclosed. ☐ was filed on \_\_\_\_\_

The proposed reply is in the form of: Declaration and Power of Attorney

2. ☐ The issue fee:

☐ is enclosed. ☐ was paid on \_\_\_\_\_

3. ☒ The abandoned application was a:

☐ design application. ☒ utility application. ☐ plant application.

4. ☐ A terminal disclaimer (and fee) disclaiming a period equivalent to the period of abandonment is enclosed.

5. ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

Petition For Revival Of An Application For Patent Abandoned Unintentionally  
Under 37 CFR 1.137(b) (Large Entity)

Docket No.  
GSH 08-883817

In Re Application Of: AHMADI ET AL.

Serial No.  
09/719,957

Filing Date  
DECEMBER 18, 2000

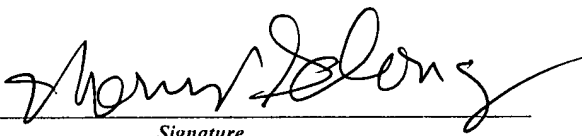
Examiner

Group Art Unit

Invention:  
BAIT SOFTWARE

Statement

The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.



Dated:

Signature

Norman P. Soloway Reg. No. 24,315  
Hayes, Soloway, Hennessey, Grossman & Hage, P.C.  
130 W. Cushing Street  
Tucson, Arizona 85701

I certify that this document and fee is being deposited  
on October 18, 2001 with the U.S. Postal Service as  
first class mail under 37 C.F.R. 1.8 and is addressed to the  
Assistant Commissioner for Patents, Washington, D.C.  
20231.



Signature of Person Mailing Correspondence

KIMBERLY GOOD

Typed or Printed Name of Person Mailing Correspondence

CC: